

## **Town Board Minutes**

May 4, 2015

Meeting No. 15

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 4<sup>th</sup> day of May 2015 at 7:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
DINO FUDOLI, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
JOHN DUDZIAK, TOWN ATTORNEY  
LEONARD CAMPISANO, ASST. CODE ENFORCEMENT  
OFFICER  
GERALD GILL, CHIEF OF POLICE  
MARK LUBERA, INTERIM DIRECTOR, PARKS, RECREATION,  
FORESTRY & GROUNDS  
DANIEL AMATURA, HIGHWAY SUPERINTENDENT  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

## **PERSONS ADDRESSING TOWN BOARD:**

**Beutler, Daniel**, spoke to the Town Board on the following matter:

- Reorganization of Parks, Recreation & Forestry Department and additional duties of Highway Superintendent.
- Concerns about Change Orders for work done at the Public Safety Building.

**Cardwell, Liz**, spoke to the Town Board on the following matter:

- Online limousine company violations:
  1. Idling of vehicles (Busses & Limousines).
  2. Garbage storage violations.

**Fronczak, Mike**, spoke to the Town Board on the following matters:

- Site Plan approval of Hamlet Meadows – Harris Hill Senior Housing.
- Highway Storage Facility - questions regarding progress.
- Hidden Meadows Subdivision.
- Concerns about WalMart – trailers on site.
- Change Order for work done on Public Safety Building.

**Hangauer, Carmen**, spoke to the Town Board on the following matter:

- Comments regarding FAA Grant for Buffalo-Lancaster Airport.

**Hangauer, Dave**, spoke to the Town Board on the following matter:

- Requests from Buffalo-Lancaster Airport for Town Board endorsing resolutions. Concerns about airport expansion.

**Kazmierczak, Tom**, spoke to the Town Board on the following matters:

- Erie County sewer project Losson Road/Borden Road area.
- Little League Indoor Baseball Facility and bonding payments.

**Maddock, Frank**, spoke to the Town Board on the following matter:

- Thanks the Town Board for the financial help given to the Lancaster Rural Cemetery.

**Nosbisch, Paul, Jr.**, spoke to the Town Board on the following matters:

- Comments regarding Buffalo-Lancaster Airport and possible expansion.
- Questions regarding PBA Contract.

**Seaner, Elizabeth**, spoke to the Town Board on the following matters:

- Questions regarding budget for Lancaster Senior Center.
- Cites problems with the use of the kitchen at the Senior Center.
- Rules for use of Senior Center.

**Symer, Donald**, spoke to the Town Board on the following matter:

- Questions about Mortgage Transfer Tax received by Town of Lancaster.

**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED,** that the minutes of the Joint Meeting of the Town Board and the Planning Board held April 20, 2015 and the Regular Meeting of the Town Board held April 20, 2015 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	ABSTAINED
SUPERVISOR FUDOLI	VOTED YES

May 4, 2015

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk  
by the Assistant to the Supervisor, to wit:

Claim No. 39733 to Claim No. 39876 Inclusive

Total amount hereby authorized to be paid: \$294,507.47

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23731		Kevin Patterson	23 Jonquille Ct	Er. Shed	
23732		Scott Aviation Inc.	225 Erie St	Er. Sign - Pole	(V/L)
23733		Jason P Bauchie	3 Ryan St	Er. Fence	
23734		Paul Jeziorski	8 Brunck Rd	Er. Fence	
23735		Claudio Giangreco-Marotta	22 Via Donato W	Er. Fence	
23736		Jennifer Seifert	39S Irwinwood Rd	Er. Fence	(V/L)
23737		Kevin & Laurie Koerner	73 Newberry Ln	Re-Roof	
23738		Claudio Giangreco-Marotta	22 Via Donato W	Er. Pool-In Grnd	
23739		Transit French Associates	4779 Transit Rd	Er. Sign - Wall	
23740		Kirst Construction Inc.	4979 Transit Rd	Er. Comm. Add./Alt.	
23741		Iroquois Fence Inc.	60 Sterling Pl	Er. Fence	
23742		David Leary	6 Sawgrass Ln	Er. Fence	
23743		Joseph & Ann Thuman	218 Warner Rd	Er. Res. Alt.	
23744		Robert Botsford	715 Ransom Rd	Er. Pool-Abv Grnd	
23745		Elwyn & Mary Burdick	28 Logan Ln	Er. Deck	
23746		H Cope Enterprises Inc	5657 Broadway	Re-Roof	
23747		Irwin Roofing	22 Clermont Ct	Re-Roof	
23748		Joseph Contrino	221 Aurora St	Dem. Bldg	(V/L)
23749		Arthur Hauret	8 Summerfield Dr	Er. Pool-Abv Grnd	
23750		Marrano/Marc Equity Corp.	1 Magrum Ln	Er. Dwlg.-Sin.	
23751		Marraro/Marc Equity Corp.	6 Magrum Ln	Er. Dwlg.-Sin.	
23752		Nikolay & Gerda Kolev	11 Scott St	Er. Res. Alt.	(V/L)
23753		Marrano/Marc Equity Corp.	13 Magrum Ln	Er. Dwlg.-Sin.	
23754		Besroi Construction	39 Broezel Ave	Re-Roof	(V/L)
23755		Gary & Janet Jenkins	56 Avian Way	Er. Shed	
23756		DJC Land Development	11 Branch Way	Er. Dwlg.-Sin.	
23757		Paul Besch	76 First Ave	Re-Roof	(V/L)
23758		John Kasprzyk	5110 William St	Er. Res. Add.	
23759		RJF Development JV	7 Darien Ct	Er. Dwlg.-Sin.	
23760		RJF Development JV	12 Darien Ct	Er. Dwlg.-Sin.	
23761		Pauline Weimheimer	39 Kelly Ct	Er. Fence	(V/L)
23762		Thomas & Mary Ann Mathews	14 Stone Hedge Dr	Er. Fence	
23763		Lovejoy Builders Inc.	3 Joseph Dr	Er. Dwlg.-Sin.	
23764		Anthony & Jodie Barone	46 Newberry Ln	Er. Shed	
23765		Kenneth & Marcia White	14 Garfield St	Dem. Bldg	(V/L)
23766		16 Lancaster Parkway LLC	16 Lancaster Pkwy	Er. Comm. Bldg.	
23767		Sandra A O'Neill	3547 Walden Ave	Er. Sign - Pole	(V/L)
23768		Judith Ann Codd	168 Enchanted Forest S	Er. Shed	
23769		Libby Brennan	33 Burwell Ave	Re-Roof	(V/L)
23770		Jacob & Stephanie Massaker	34 Pleasant Ave	Er. Fence	(V/L)
23771		Josepj & Pamela Sacco	5 Cobblestone Ct	Re-Roof	
23772		The Gutter People of WNY Inc	42 St John St	Re-Roof	(V/L)
23773		David Malizia	4 Broadmoor Ct	Re-Roof	
23774		Ronald & Charlene Kozak	55 Stream View Ln	Re-Roof	
23775		David & Marlene Dahn	151 Nichter Rd	Re-Roof	
23776		Philip Mendola	5 Farmingdale Ct	Re-Roof	
23777		Steve Simme	204 Pavement Rd	Er. Fence	
23778		Steve Simme	204 Pavement Rd	Er. Pool-In Grnd	
23779		Daniel & Cindy Herberger	15 Tranquility Trl	Er. Fence	
23780		Daniel & Cindy Herberger	15 Tranquility Trl	Er. Pool-In Grnd	

23781	Star Construction	44 Fox Hunt Rd	Er. Shed	
23782	Fairway Hills Development	11 Pear Tree Ln	Er. Dwlg.-Sin.	
23783	Fairway Hills Development	17 Pear Tree Ln	Er. Dwlg.-Sin.	
23784	Iroquois Fence Inc	8 Ashwood Ct	Er. Fence	
23785	Fairway Hills Development	19 Pear Tree Ln	Er. Dwlg.-Sin.	
23786	Iroquois Fence Inc	6 Ashwood Ct	Er. Fence	
23787	Varecka Builders Inc	185 Schwartz Rd	Er. Garage	
23788	City Fence Inc	26 Sawgrass Ln	Er. Fence	
23789	Forbes Homes, Inc	15 Branch Way	Er. Dwlg.-Sin.	
23790	Donna McGuinness	69 Church St	Re-Roof	(V/L)
23791	Gregory & Elizabeth Young	59 Woodlawn Ave	Er. Shed	(V/L)
23792	Daniel & Jennifer Nostrant	9 Sterling Pl	Er. Shed	
23793	John Sweet	16 Kent Pl	Er. Res. Alt.	
23794	George Ludwig	195 Westwood Rd	Er. Fence	
23795	William & Barbara Urbanski	21 Sagebrush Ln	Er. Pool-Abv Grnd	
23796	Paul & Luann Crawford	5 Hemlock Ln	Er. Res. Alt.	
23797	Scott & Tegan Guenther	2 Nottingham Ln	Er. Fence	
23798	Marrano/Marc Equity Corp	33 Newberry Ln	Er. Dwlg.-Sin.	
23799	Majestic Pools Inc.	5137 William St	Er. Pool-In Grnd	
23800	RGGT LLC	33 Westwood Rd	Re-Roof	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, DJC Land Development, LLC, 470 Cayuga Road, Cheektowaga, New York 14225, has requested the Town Board of the Town of Lancaster accept work completed under Street Lighting Public Improvement within the Hidden Pines Subdivision Phase I, within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated April 29, 2015, has reported his favorable review for the acceptance of this public improvement.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Street Lighting Public Improvement within the Hidden Pines Subdivision Phase I be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 735 - Street Lights  
and,

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS,** Twin District Volunteer Fire Company, Inc., by letter  
dated April 16, 2015, has requested the addition of the following member to the roster of said  
fire association,

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby confirms  
the addition to the membership of the Twin District Volunteer Fire Company the following  
individual:

**ADDITION:**

Austin Manna  
Depew, NY

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

File: RFIRE (P5)



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board is considering improving the basketball facilities and adding a roller hockey area which will replace the existing tennis courts in Keysa Park, and

**WHEREAS**, the Town of Lancaster Municipal Review Committee has reviewed the Keysa Park Improvement – Metz Memorial request and recommended its approval at their meeting on April 20, 2015, and

**WHEREAS**, the Town Board has duly considered the plans for the modifications/improvements, the Short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

**WHEREAS**, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

**WHEREAS**, the proposed action has been labeled an “Unlisted” action under SEQRA.

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

1. This project is described as modifications/improvements to the existing tennis courts and basketball area of the Town Park to provide improved basketball facilities and a roller hockey area which will replace the existing tennis courts.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

**NEGATIVE DECLARATION**  
**Determination of Non-Significance**

**Town of Lancaster Town Board**

**Dated: May 4, 2015**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed Keysa Park basketball facilities improvements and the roller hockey area addition which will replace the existing tennis courts. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Keysa Park Improvement-Metz Memorial

**Location of Action:** Vandenburg Avenue, Lancaster, New York 14086, Erie County

**SEQR Status:** Unlisted Action.

**Description of Action:** The modifications/improvements to the existing tennis courts and basketball area of the Town Park to provide improved basketball facilities and a roller hockey area which will replace the existing tennis courts.

**Reasons Supporting this Determination:** Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).

- 10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
- 11. The proposed action will not create a hazard to environmental resources or human health.

**For Further Information:**

Contact Person:	John M. Dudziak, Town Attorney
	Town of Lancaster
Address:	21 Central Avenue
	Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, on April 20, 2015, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17(F) of the Code of the Town of Lancaster, upon the application of **Tonya M. Bradford**, for a Special Use Permit for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive, Lancaster, New York, and

**WHEREAS**, persons for and against such Special Use Permit had an opportunity to be heard;

**NOW, THEREFORE, BE IT  
RESOLVED,**

1. That pursuant to Chapter 50-Zoning, Section 17(F), entitled "Home Occupations" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Tonya M. Bradford**, for a Home Occupation (Hair Salon) on premises located at 30 Woodgate Drive, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50 Section 17(F), of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- a) There shall be no outdoor sign advertising this business.
- b) This Special Use Permit terminates when the applicant no longer resides on the premises.
- c) Permit must be renewed every two (2) years at no additional cost to applicant.
- d) Applicant will authorize representatives from the Building Inspector’s Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

Mary 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED BY  
SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby establishes the following as standard work days for the following elected and appointed officials and will report the days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Lancaster Town Clerk:

Title	Name	SSN	Standard Work Day	Term Begins/ Ends	Participates in Employer’s Time Keeping System	Registration #	Days/ Month
ELECTED OFFICIAL							
Town Justice	Jeremy Colby		6	01/01/15 – 12/31/18	No		5.71
APPOINTED OFFICIALS							
Clerk to Town Justice	Clara Davis		7	01/01/15 – 12/31/18	Yes		N/A
Member, Planning Board	Lawrence Korzeniewski		7	01/01/15 – 12/31/21	No		0.60

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Highway Superintendent of the Town of Lancaster, by letter dated April 20, 2015, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Highway Department, for a period not to exceed five (5) months, and that these being part-time position(s) provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Elliot Weber (new hire) Lancaster, NY	Laborer	\$9.00	June 22, 2015

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the year 2015 has been introduced, entitled “**A Local Law Amending the Town of Lancaster Code Regarding the Required Fee for Public Improvement Permits.**”

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

- 1. A public hearing for the proposed Local Law is hereby set for the 18th day of May 2015 at 7:15 o'clock P.M.
- 2. The Town Clerk is directed to provide notice of the public hearing as required by law.
- 3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted May 4, 2015 , the said Town Board will hold a Public Hearing on the 18<sup>th</sup> day of May, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of considering and possibly adopting a Local Law to amend the Town of Lancaster Code regarding Public Improvements Permit Fees. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN  
Town Clerk  
May 7, 2015**



**Town of Lancaster**  
**Local Law No. \_\_\_\_ of 2015**

**A Local Law Amending the Town of Lancaster Code Regarding The Required Fee for  
Public Improvement Permits.**

**Be it hereby enacted by the Town Board of the Town of Lancaster as follows:**

**Section 1:** Chapter 11 §11-1. Permit required; fee of the Town of Lancaster Town Code is amended to read in its entirety as follows:

§11-1. Permit Required Fee.

No person, firm, association or corporation shall install, construct or perform any work incident to the installation and/or construction of any public improvement upon real property in the Town of Lancaster without first having obtained a permit therefor, to be issued by the Town Clerk with the approval of the Town Board after certification by the Town Engineer that the plans and specifications as submitted by the applicant comply with the specifications and requirements of the Town of Lancaster. **The fee for such permit shall be as set forth in Section 30-20 of the Town of Lancaster Code.**

**Section 2:** Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**Section 3:** Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the year 2015 has been introduced, entitled “**A Local Law Amending the Town of Lancaster Permit and Application Fees**”,

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

- 1. A public hearing for the proposed Local Law is hereby set for the 18th day of May 2015 at 7:15 o'clock P.M.
- 2. The Town Clerk is directed to provide notice of the public hearing as required by law.
- 3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted May 4, 2015 , the said Town Board will hold a Public Hearing on the 18<sup>th</sup> day of May, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster PERMIT AND APPLICATION FEES Code to delete §30-20(C) due to its redundancy as it is present in §30-20(B). Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN**  
**Town Clerk**  
**May 7, 2015**

**Town of Lancaster**  
**Local Law No. \_\_\_\_ of 2015**

**A Local Law Amending the Town of Lancaster Permit and Application Fees.**  
**Be it hereby enacted by the Town Board of the Town of Lancaster as follows:**

**Section 1:** Chapter 30 §30-20(C). Private improvement permit fee of the Town of Lancaster Town Code is deleted in its entirety.

**Section 2:** Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**Section 3:** Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the year 2015 has been introduced, entitled “**GARBAGE, RUBBISH AND REFUSE REVISION**”, which will amend the Code of the Town of Lancaster by amending the title of **Article III. “Refuse Recycling”**, within **Chapter 25 “GARBAGE, RUBBISH AND REFUSE”** of the Code of the Town of Lancaster.

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

1. A public hearing for the proposed Local Law is hereby set for the 18th day of May 2015 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted May 4, 2015 , the said Town Board will hold a Public Hearing on the 18<sup>th</sup> day of May, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster Garbage, Rubbish and Refuse Code to amend the title of Article III. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN**  
**Town Clerk**  
**May 7, 2015**

**Town of Lancaster**  
**Local Law No. \_\_\_\_ of 2015**

**A Local Law Amending the Town of Lancaster Garbage, Rubbish and Refuse Code to Amend the Title of Article III**

**Be it hereby enacted by the Town Board of the Town of Lancaster as follows:**

**Section 1:** Chapter 25 Article III. of the Town of Lancaster Town Code, which currently reads “Refuse Recycling” is hereby amended to read in its entirety as follows:

**Article III. Refuse and Recycling**

**Section 2:** Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**Section 3:** Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the year 2015 has been introduced, entitled “**VEHICLE AND TRAFFIC REVISIONS**”, which will amend the Code of the Town of Lancaster by amending Section 46-14 within **Chapter 46 “VEHICLE AND TRAFFIC ” Article X PARKING, STANDING AND STOPPING”, SECTION 14 “PARKING TIME LIMITED IN DESIGNATED LOCATIONS”** by deleting §46-14(A)(1)(2)(3)(4) and amending §46-14(C) by adding (5) Impala Parkway, (6) Biscayne Drive and (7) Matthews Drive to the Code of the Town of Lancaster.

**WHEREAS**, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

**NOW, THEREFORE,**  
**BE IT RESOLVED** by the Town Board of the Town of Lancaster that:

- 1. A public hearing for the proposed Local Law is hereby set for the 18<sup>th</sup> day of May, 2015 at 7:15 o'clock P.M.
- 2. The Town Clerk is directed to provide notice of the public hearing as required by law.
- 3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015



**LEGAL NOTICE**  
**PUBLIC HEARING**  
**TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted May 4, 2015, the said Town Board will hold a Public Hearing on the 18<sup>th</sup> day of May, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster Code, Chapter 46. "VEHICLE AND TRAFFIC" ARTICLE X "PARKING STANDING AND STOPPING" SECTION 14(A) AND (C) "PARKING TIME LIMITED IN DESIGNATED LOCATIONS. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN**  
**Town Clerk**  
**May 7, 2015**

**Town of Lancaster  
Local Law No. \_\_\_\_ of 2015**

**A Local Law Amending the Town of Lancaster “Vehicle And Traffic” Code Article X  
“Parking Standing and Stopping” Section 14(A) And (C) “Parking time limited in  
designated locations” by deleting street names from §46-14(A) and  
adding them to §46-14(C).**

**Be it hereby enacted by the Town Board of the Town of Lancaster as follows:**

**Section 1: Section 46-14(A) of the Town of Lancaster Code is hereby amended to read  
in its entirety as follows:**

A. The parking of a vehicle is hereby prohibited in the following locations for a period of longer than two hours between the hours of 9:00 a.m. and 3:00 p.m. daily, Monday through Friday:

- (1) (Reserved)
- (2) (Reserved)
- (3) (Reserved)
- (4) (Reserved)

**Section 2: Section 46-14(C) of the Town of Lancaster Code is hereby amended to  
read in its entirety as follows:**

C. The parking of a vehicle is hereby prohibited in the following locations for a period of longer than two hours between the hours of 9:00 a.m. and 3:00 p.m. daily, Monday through Friday, from September 1 through June 30:

- (1) Shadyside Lane.
- (2) Pine View Lane.
- (3) Meadow Lea Drive.
- (4) Donna Lea Drive.
- (5) Impala Parkway.
- (6) Biscayne Drive.
- (7) Matthews Drive

**Section 3: Severability.** Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**Section 4: Effective Date.** This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, 911 is a critical component for citizens of Erie County and the delivery of Police and Emergency Services and traditional landline phones are accurate with the exact location for emergency calls, and

**WHEREAS**, more people are now calling 911 from cell phones with over 492,615 wireless calls being made in 2014 to Erie County 911 Center and in an emergency, every minute and second counts when an attempt is made to get Phase 2 location information, and

**WHEREAS**, the 911 center asks the network for the phones actual location that is Phase 2, and even after multiple re-bids or re-transits to the cell carriers for better information, it is impossible to get an exact location when trying to locate the emergency which can be inaccurate or at times doesn't give the location at all, and

**WHEREAS**, every cell phone subscriber in New York State pays \$1.20 to Albany each month which was intended to support counties and their endeavor to update and maintain their development of next generation 911 technology, the consolidation of current 911 services, and improvements to public safety communication systems across the State, and

**WHEREAS**, Erie County estimates cell phone subscribers in Erie County paid approximately \$8.8 million to Albany in 2014 through this surcharge, and surcharge funds collected in 2012 throughout New York State were in excess of \$200 million with less than \$10 million being disbursed to County level 911 services, and

**WHEREAS**, according to the FCC, New York State was one of six states in 2013 to divert funding from a 911 surcharge account for unrelated purposes and this improper distribution is hampering public safety in Erie County and throughout Western New York.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Association of Erie County Governments requests that the State of New York appropriately disburse the funds collected through the public safety communications surcharge as laid out in Bill S2963/A3561 (2015), and

**BE IT FURTHER,**

**RESOLVED**, that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, Honorable Senate Majority Leader Dean Skelos, Majority Leader of Independent Democratic Caucus Jeff Klein, Honorable Senate Minority Leader Andrea Stewart-Cousins, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Majority Leader of the Assembly Joseph Morelle, Honorable Minority Leader of the Assembly Brian Kolb, and the Western New York Delegation, including Erie County Executive Mark Poloncarz and the Erie County Legislature.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town maintains a Department of Parks, Recreation and Forestry (the “Department”), and

**WHEREAS**, operational supervision of the Department was exercised for many years by a General Crew Chief, and

**WHEREAS**, the General Crew Chief position is currently vacant, and

**WHEREAS**, Town Highway Superintendent Daniel Amatura has indicated a willingness to exercise general operational oversight over the Department, in addition to his duties as Highway Superintendent, and

**WHEREAS**, Mark Lubera, who is currently a Laborer in the Department and is a member of the CSEA White Collar Unit, has indicated a willingness to assume greater responsibility for the day-to-day supervision of the Department, and

**WHEREAS**, the Town Board has considered this matter, and has determined to reorganize the supervisory structure in the Department by assigning Mr. Amatura to exercise general operational oversight, and to appoint Mr. Lubera to the title of Park Crew Chief to provide day-to-day supervision, and

**WHEREAS**, the Town Board believes that this supervisory restructuring within the Department will result in greater operational effectiveness and will achieve cost savings.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves, as presented, (a) the Memorandum of Agreement with Mr. Amatura, and (b) the Memorandum of Agreement with Mr. Lubera and the CSEA White Collar Unit, in relation to the reorganization of the Department, and

**BE IT FURTHER,**

**RESOLVED**, that Mr. Lubera is hereby appointed to the title of Park Crew Chief, retroactive to April 25, 2015, at an hourly rate of \$31.76, subject to the further terms of the Town’s policies relating to non-union supervisory personnel, and

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED NO
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS,** the Town Board of the Town of Lancaster appointed Mark Lubera to serve as Interim General Crew Chief of the Parks, Recreation and Forestry Department on September 2, 2014, due to the resignation of the department head, and

**WHEREAS,** the Town Board evaluated various options in terms of permanent supervision over the Department and after due process requested that the Erie County Department of Personnel determine the appropriate Civil Service job title for the position, and

**WHEREAS,** the Erie County Department of Personnel has advised that the appropriate Civil Service job title for the person providing operational supervision in the Parks, Recreation and Forestry Department is Park Crew Chief, and

**WHEREAS,** the Town Board of the Town of Lancaster, after due consideration has determined that the position of Park Crew Chief shall be created in the Parks, Recreation and Forestry Department.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) for authorization by the County of Erie Department of Personnel to create one (1) new position of Park Crew Chief, full-time in the Parks, Recreation and Forestry Department.

**BE IT FURTHER,**

**RESOLVED,** that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, Michael Lorigo, of 9280 Main Street, Clarence, New York 14031 has heretofore applied for approval of a twelve (12) single family home subdivision to be known as “Blackstone Court (formerly Harris Hill) Subdivision” located on vacant land between 609 and 621 Harris Hill Road in the Town of Lancaster, and

**WHEREAS**, the Preliminary Plat was submitted to the Planning Board and was approved at their May 1, 2013 meeting, and

**WHEREAS**, the Planning Board additionally reviewed the amended Final Plat and on April 15, 2015 recommended approval, and

**WHEREAS**, the Town Engineer has given his approval to the filing of this Subdivision which will include two (2) Private hydrants and new private waterlines, and

**WHEREAS**, the Town, acting as lead agency has completed an environmental review on June 17, 2013, in conformance with SEQR (State Environmental Quality Review) regulations and on July 1, 2013 a Negative Declaration was issued , and

**WHEREAS**, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed private subdivision which will require that any work done will be subject to inspection under Private Improvement Permits;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby approves the proposed twelve (12) single family home development final plat as prepared by Metzger Civil Engineering, PLLC., dated April 16, 2013 with a revision date of February 4, 2015 and filed with the Town Clerk on April 27, 2015 for said development to be known as the “Blackstone Court (formerly Harris Hill) Subdivision" for filing in the Erie County Clerk's office with the following condition:

- **No Certificate of Occupancy shall be granted for any structure in the development proposal until the applicant provides verification that an appropriate entity has been created and adequately approved by the State and is responsible for the maintenance and repair of all private infrastructures.**

2. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the interim department head of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated April 29, 2015, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Aaron Abruzzino (new hire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Andrea Baccari (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Paul Bartholomew (rehire) Depew, NY	Laborer	\$9.00	May 5, 2015
Robert Desiderio (new hire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Quintin Gill (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Joseph Jankowski (new hire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Zachary Kozlowski (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Christopher Lommer (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Jeffrey Marinaccio (new hire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Matthew Marinaccio (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Anthony Marrano (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Steven Michel (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Matthew Molnar (new hire) Lancaster, NY	Laborer	\$9.00	May 5, 2015

Connor O’Brien (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Paul Rath (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Justin Rybacki (new hire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Dominic Santoro (new hire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Nathan Smith (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Trevor Was (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015
Zachary Zika (rehire) Lancaster, NY	Laborer	\$9.00	May 5, 2015

**BE IT FURTHER,**  
**RESOLVED,** that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Highway Superintendent of the Town of Lancaster, by letter dated April 27, 2015, has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Highway Department, for a period not to exceed five (5) months, and that these being part-time position(s) provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Jacob Alessi (new hire) Lancaster, NY	Laborer	\$9.00	May 13, 2015

**BE IT FURTHER,**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

A motion to amend the following resolution was made by Council Member Ruffino, and seconded by Council Member Abraham for the purpose of adding the following text: “before Building Permits are issued.”

The question was duly put to a vote, which resulted as follows:  
ALL IN FAVOR, NONE OPPOSED.

THE FOLLOWING RESOLUTION AS AMENDED WAS  
OFFERED BY COUNCIL MEMBER STEMPIAK  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, Fairways at Lancaster, LLC** has submitted a site plan prepared by Passero Associates Engineering Architecture, dated February, 2015 with a revision date of March 19, 2015 and received April 8, 2015 for the proposed construction of 19 (4-Unit) single story 2-bedroom senior apartments called “The Fairways at Lancaster” located at 00 & 5354 Genesee Street, in the Town of Lancaster, and

**WHEREAS,** the site plan for this project was submitted to the Planning Board and was approved at their March 4, 2015 meeting, and

**WHEREAS,** the Town, acting as lead agency had previously completed an environmental review for the project rezone on December 15, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on January 5, 2015 a Negative Declaration was issued

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Fairways at Lancaster, LLC**, prepared by Passero Associates Engineering Architecture, dated February, 2015 with a revision date of March 19, 2015 and received April 8, 2015 for the proposed construction of 19 (4-Unit) single story 2-bedroom senior apartments called “The Fairways at Lancaster” located at 00 & 5354 Genesee Street in the Town of Lancaster with the following conditions before Building Permits are issued:

- Final approval from the following regulatory agencies must be obtained by the developer and provided to the Town of Lancaster:
  1. Erie County Department of Environment and Planning/  
Division of Sewerage Management.
  2. Erie County Department of Health.
  3. Erie County Water Authority.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED NO
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 4, 2015

A motion to amend the following resolution was made by Council Member Stempniak, and seconded by Council Member Abraham for the purpose of correcting the number of units, adding the following text: “before Building Permits are issued,” and adding a fourth condition to the final approval.

The question was duly put to a vote, which resulted as follows:  
ALL IN FAVOR, NONE OPPOSED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS, Natale Development, LLC** has submitted a site plan prepared by Passero Associates Engineering Architecture, dated February, 2015 with a revision date of March 12, 2015 and received April 8, 2015 for the proposed construction of 3 Senior Apartment Buildings (154 units) and 11 Patio Homes called “Hamlet Meadows-Harris Hill Senior Housing” located at 375 Harris Hill Road, in the Town of Lancaster, and

**WHEREAS,** the site plan for this project was submitted to the Planning Board and was approved at their March 4, 2015 meeting, and

**WHEREAS,** the Town, acting as lead agency had previously completed an environmental review for the project rezone on August 4, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on August 18, 2014 a Negative Declaration was issued

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Natale Development, LLC**, prepared by Passero Associates Engineering Architecture, dated February, 2015 with a revision date of March 12, 2015 and received April 8, 2015 for the proposed construction of 3 Senior Apartment Buildings (154 units) and 11 Patio Homes called “Hamlet Meadows-Harris Hill Senior Housing” located at 375 Harris Hill Road in the Town of Lancaster with the following conditions before Building Permits are issued:

- Final approval from the following regulatory agencies must be obtained by the developer and provided to the Town of Lancaster:
  1. Erie County Department of Environment and Planning/  
Division of Sewerage Management.
  2. Erie County Department of Health.
  3. Erie County Water Authority.
  4. New cover sheet indicating correct number of units.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, Daniel Amatura, Lancaster Highway Superintendent has requested that various guiderails throughout the Town of Lancaster, that were damaged due to the November 2014 Storm, be repaired; and

**WHEREAS**, the Highway Superintendent obtained three (3) price quotes for furnishing the materials and labor required for each guiderail repair at various specified locations throughout the Town of Lancaster in accordance with the Town of Lancaster’s Procurement Policy; and

**WHEREAS**, by letter dated April 30, 2015, the Highway Superintendent has recommended that the Town of Lancaster award the contract of repairing damaged guiderails throughout the Town to Pavilion Drainage Supply Co., P.O. Box 219, Pavilion, New York 14525, being the lowest priced quote, and

**WHEREAS**, the guiderail repairs will be covered through FEMA’s Permanent Repair POW.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby awards the contract for the materials and labor required for guiderail repairs at various locations throughout the Town of Lancaster to Pavilion Drainage Supply Co., P.O. Box 219, Pavilion, New York 14525, in accordance with their quote dated April 30, 2015 in the amount not to exceed \$27,124.47.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

**SUSPENDED RESOLUTION:**

Supervisor Fudoli requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER  
STEMPNIAK, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, a  
suspension was granted.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR FUDOLI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster is in need of additional real property for materials storage, and

**WHEREAS**, the Town Board has previously resolved to purchase certain property located on the south side of Genesee Street at Shisler Road, Town of Lancaster (consisting of SBL Nos. 95-1-2 and 95-1-3) (the “Property”) pursuant to the terms and conditions of a certain Contract for Purchase of Land (the “Agreement”) with LaFarge North America Inc., and

**WHEREAS**, in connection with the purchase of the Property, it is in the best interest of the Town of Lancaster to conduct environmental testing on the Property, which includes the engagement of an environmental consulting firm to perform a Phase II Environmental Site Assessment (the “Phase II”), and

**WHEREAS**, LaBella Associates, D.P.C. is recommended to perform the Phase II, with the assistance of the Town of Lancaster which will supply equipment and personnel to assist in the completion of the Phase II.

**NOW, THEREFORE, BE IT**

**RESOLVED** that, the Board hereby (a) approves the engagement of LaBella Associates, D.P.C. to perform the Phase II with the assistance of the Town of Lancaster; and (b) authorizes the Supervisor to execute and deliver an engagement letter with LaBella Associates, D.P.C. and the associated transactional documents required for the Phase II; and (c) authorizes the Supervisor and other appropriate Town officials to proceed with the implementation of all steps reasonably necessary and appropriate to implement the terms and conditions of the engagement of LaBella Associates, D.P.C. and the completion of the Phase II.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

May 4, 2015

## **COMMUNICATIONS & REPORTS**

- 298. Deputy Commissioner of New York State Dept. of Motor Vehicles –  
Changes to certain signage related to access for the disabled.  
Disposition = Received & Filed**
- 299. Town Engineer to Town Board –  
Recommend acceptance of Public Improvement Permit #735 for the site lighting  
installed at the Hidden Pines Subdivision. Disposition = Resolution 5/4/15**
- 300. General Manager, Lancaster Speedway to Town Clerk –  
Notice of 30-day application for liquor license for Lancaster National Speedway  
and Dragway LLC, 57 Gunnville Road. Disposition = Received & Filed**
- 301. Highway Superintendent to Town Board –  
Request for resolution to appoint Elliot Weber for the 2015 summer season in the  
Town Highway Department beginning June 22, 2015.  
Disposition = Resolution 5/4/15**
- 302. Town Attorney to Planning Board and Town Board –  
SEQR response from NYS Dept. of Environmental Conservation regarding Auto  
Holding Center, 00 Genesee St. (Proj. #4212). Disposition = Planning Committee**
- 303. Twin District Volunteer Fire Co. to Town Clerk –  
Request for change in roster. Disposition = Resolution 5/4/15**
- 304. Residents of the Town of Lancaster to Town Board --  
Signed petition opposing rezone petition for 5335 William Street.  
Disposition = Received & Filed**
- 305. Picasso's Pizza & Subs Drive-In of Lancaster to Town Clerk –  
Notice of 30-day application for liquor license for Picasso's Pizza & Subs Drive-In  
of Lancaster, 5413 Broadway. Disposition = Received & Filed**
- 306. Residents of Americo Court to Town Board –  
Request for "No Parking" zone along the side yard of 24 Americo Court.  
Disposition = For Resolution**
- 307. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., Div. of  
Sewerage Management, NYSDOT, and Erie County DEP –  
Request for lead agency designation regarding rezone 0 Broadway from R1 to  
MFR-4. Disposition = Planning Committee**
- 308. Town Attorney to Planning Board and Town Board –  
SEQR response from Erie County Division of Sewerage Management regarding  
Cadby Industrial Park Addition, 2 Cadby Industrial Park.  
Disposition = Planning Committee**
- 309. Town Attorney to Planning Board and Town Board –  
SEQR response from Erie County Division of Sewerage Management regarding  
rezone 2815 & 2819 Wehrle Dr from RCO to CMS.  
Disposition = Planning Committee**
- 310. Tracy Lumb to Supervisor and Town Board –  
Request for "No Outlet" sign at the corner of Buckingham Court at Windcroft  
Lane. Disposition = For Resolution**
- 311. Town Clerk to Various News Media –  
Notice of website change in the Town of Lancaster.  
Disposition = Received & Filed**
- 312. Jamie Phillips, Lancaster Central School District to Supervisor --  
Copy of Lancaster Central School District's resolution adopting a type 1 negative  
declaration on the Lancaster CSD Capital Improvement Project and Bus  
Maintenance Facility. Disposition = Received & Filed**
- 313. Duplicate communication. Disposition = Received & Filed**

314. Interim General Crew Chief to Supervisor and Town Board –  
Request for Town Board to deem used artificial playing surface as surplus and allow it to go to public auction. Disposition = For Resolution
315. Highway Superintendent to Town Board –  
Information regarding capital improvement bonding.  
Disposition = Received & Filed
316. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –  
Draft copy of minutes from April 15, 2015 Planning Board meeting.  
Disposition = Received & Filed
317. Planning Board to Town Board –  
Recommend approval of final plat plan review for Harris Hill Road – 12 Single-Family Homes. Disposition = Resolution 5/4/15
318. Village of Lancaster to Town Board –  
Minutes from special meeting held on March 30, 2015.  
Disposition = Received & Filed
319. Village of Lancaster to Town Board –  
Minutes from regular meeting held on March 23, 2015.  
Disposition = Received & Filed
320. Highway Superintendent to Council Member John Abraham and Council Member Ronald Ruffino –  
Information regarding project to be bonded by the Town and that bonding issues require a super majority of the Town Board vote. Disposition = For Resolution
321. Highway Superintendent to Town Board –  
Request for resolution to appoint Jacob Alessi for the 2015 summer season in the Town Highway Department beginning May 13, 2015.  
Disposition = Resolution 5/4/15
322. Supervisor to Captain Marco Laurienzo –  
Copies of requests from Town residents regarding establishment of No Parking zone on Americo Court and placement of No Outlet sign at the intersection of Buckingham Court and Windcroft Lane. Disposition = For Resolution
323. Supervisor to Town Clerk –  
Proclamation recognizing the week of May 3 through May 9, 2015, as Municipal Clerk's Week and recognizing Johanna M. Coleman for vital services she performs and exemplary dedication to the community.  
Disposition = Received & Filed
324. Lieutenant R.J. Rozler to Police Chief –  
Copy of traffic review determination regarding request for "No Outlet" sign to be placed at Buckingham Court and Windcroft Lane. Disposition = Received & Filed
325. Interim General Crew Chief to Supervisor and Town Board –  
Request for Town Board to deem used artificial playing surface as surplus and allow it to go to public auction with corrected auction dates.  
Disposition = For Resolution
326. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector, Town Engineer and Town Clerk –  
Notice of SEQR meeting on Monday, May 4, 2015 at 6:15PM regarding Hidden Meadow Subdivision, West of Aurora Street (Proj. #4006).  
Disposition = Planning Committee
327. Supervisor to Town Attorney –  
Request for scheduling of public hearing and accompanying resolution regarding No Outlet sign at Buckingham Court and Windcroft Lane.  
Disposition = For Resolution

- 328. Town Clerk to Various News Media --**  
Notice of SEQR meeting on Monday, May 4, 2015 at 6:15PM regarding Hidden Meadow Subdivision, West of Aurora Street (Proj. #4006).  
Disposition = Received & Filed
- 329. Town Attorney to Town Clerk –**  
Transmittal of Maintenance Bond and request for resolution accepting P.I.P. No. 735 for Street Lights in Hidden Pines Subdivision-Phase 1.  
Disposition = Resolution 5/4/15
- 330. State Comptroller to Town Clerk –**  
Local Government Sales Taxes in New York State: 2015 Update.  
Disposition = Received & Filed
- 331. Highway Superintendent to Town Board –**  
Information regarding repair of damaged guide rails from the November storm and request for contract to be awarded to Pavilion Drainage Supply Co., Pavilion, NY. Disposition = Resolution 5/4/15
- 332. Police Chief to Town Clerk –**  
Articles and communications. Disposition = Received & Filed



**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY  
COUNCIL MEMBER STEMPNIAK AND CARRIED,** the meeting was adjourned  
in memory of Nancy Nachtrieb and Dolores J. Rutkowski at 8:19 P.M.

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk